

# EXHIBIT A

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## CASE TOOLS

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[<< return to previous page](#)[Court Locations](#)[Find a Case](#)[Traffic Violations](#)**Case Information**

Case Number:	CC2017-094434	Judge:	Reagan, Michael
File Date:	5/23/2017	Location:	McDowell Mountain Justice Court
Case Type:	Justice Civil	Case Status:	01 - New Case

**Party Information**

Party Name	Relationship	Sex	Attorney
JEFF MANNING	Plaintiff	N/A	Kevin McCarthy
BARCLAYS BANK DELAWARE	Defendant	N/A	Pro Per
EXPERIAN INFORMATION SOLUTIONS INC	Defendant	N/A	Pro Per
TRANS UNION LLC	Defendant	N/A	Pro Per

**Disposition Information**

There are no disposition notes on file

**Case Calendar**

There are no calendar events on file

**Events**

Event Type	Sub Type	Judge	Result	Result Date
Letter		Reagan	Completed	6/14/2017
Affidavit of Service	Private Process	Reagan	Served	6/1/2017
Affidavit of Service	Private Process	Reagan	Served	5/30/2017
Affidavit of Service	Private Process	Reagan	Served	5/30/2017

**Judgments**

There are no judgments on file

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## Notice of Service of Process

null / ALL  
Transmittal Number: 16706544  
Date Processed: 06/01/2017

**Primary Contact:** Daniel Halvorsen  
Trans Union LLC  
555 W. Adams Street  
Chicago, IL 60661-3601

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<b>Entity:</b>	Trans Union LLC Entity ID Number 1884665
<b>Entity Served:</b>	Trans Union, LLC
<b>Title of Action:</b>	Jeff Manning vs. Barclays Bank Delaware
<b>Document(s) Type:</b>	Summons/Complaint
<b>Nature of Action:</b>	Violation of State/Federal Act
<b>Court/Agency:</b>	McDowell Mountain Justice Court, Arizona
<b>Case/Reference No:</b>	2017094434
<b>Jurisdiction Served:</b>	Arizona
<b>Date Served on CSC:</b>	05/30/2017
<b>Answer or Appearance Due:</b>	20 Days
<b>Originally Served On:</b>	CSC
<b>How Served:</b>	Personal Service
<b>Sender Information:</b>	Kevin Fallon McCarthy 602-456-8900

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Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

**To avoid potential delay, please do not send your response to CSC**  
2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | [sop@cscglobal.com](mailto:sop@cscglobal.com)

MCDOWELL MOUNTAIN  
JUSTICE COURT  
FILED

17 MAY 23 AM 10:13

**MCCARTHY LAW PLC**

CANDID CONVERSATION. WISE COUNSEL.

Kevin Fallon McCarthy, 011017  
Joon Kee, 028152  
4250 North Drinkwater Blvd, Suite 320  
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Attorneys for Plaintiffs

**MCDOWELL MOUNTAIN JUSTICE COURT  
MARICOPA COUNTY, STATE OF ARIZONA  
18380 NORTH 40TH STREET, PHOENIX, ARIZONA 85032**

Jeff Manning,  
Plaintiff,  
v.

Case No.: **2017094434**  
**SUMMONS**

Barclays Bank Delaware, Experian Information  
Solutions, INC., And Trans Union LLC,  
Defendants.

**STATE OF ARIZONA TO:**

**BARCLAYS BANK DELAWARE**  
125 SOUTH WEST STREET  
WILMINGTON, DE, 19801

**EXPERIAN INFORMATION SOLUTIONS, INC.**  
CT CORPORATION SYSTEM  
3800 NORTH CENTRAL AVENUE, SUITE 460  
PHOENIX, ARIZONA 85012

**TRANS UNION LLC**  
S/A: PRENTICE-HALL CORP SYSTEM  
2338 WEST ROYAL PALM ROAD, STE-J  
PHOENIX, ARIZONA 85021

**THE STATE OF ARIZONA TO THE ABOVE-NAMED DEFENDANT(S):**

1. YOU ARE SUMMONED to respond to this complaint by filing a written ANSWER with this Court and by paying the required fee. If you cannot afford to pay the required fee, you may request that the Court either waive or defer the fee.

2. If you were served with this summons in the State of Arizona, the Court must receive your answer within twenty (20) calendar days from the date you were served. If you were served outside the State of Arizona, the Court must receive your answer within thirty (30) calendar days from the date you were served. If the last day is a Saturday, Sunday, or legal holiday, you will have until the next working day to file your answer. When calculating time, do not count the day you were served with the summons.

3. Your answer must be in writing.

(a) You may obtain an answer form from this Court.

(b) You may also obtain an answer form from the Form section of the Maricopa County Justice Courts website at <http://justicecourts.maricopa.gov>.

4. Provide a copy of your answer to the Plaintiff(s) or to the Plaintiff's attorney in accordance with JCRCP Rule 120.

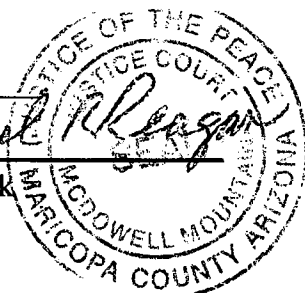
**5. IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THIS COURT WITHIN THE TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU.**

The name and address of Plaintiff's attorney is:

Kevin Fallon McCarthy, Esq.  
Joon Kee, Esq.  
McCARTHY LAW PLC  
4250 North Drinkwater Boulevard, #320  
Scottsdale, Arizona 85251

SIGNED AND SEALED this date: MAY 23 2017

By: Michael Reagan  
Deputy Clerk



**NOTICE TO THE DEFENDANT: A LAWSUIT HAS BEEN FILED AGAINST YOU IN  
JUSTICE COURTS**

You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an officer of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney. If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRCP") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant." You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state.) If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, on the Maricopa County Justice Court website at <http://justicecourts.maricopa.gov/>, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

MCDOWELL MOUNTAIN  
JUSTICE COURT  
FILED

**MCCARTHY LAW PLC**

CANDID CONVERSATION. WISE COUNSEL.

17 MAY 23 AM 10:13

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Attorneys for Plaintiff

**MCDOWELL MOUNTAIN JUSTICE COURT  
MARICOPA COUNTY, STATE OF ARIZONA  
18380 NORTH 40TH STREET, PHOENIX, ARIZONA 85032**

Jeff Manning,

Plaintiff,

v.

Barclays Bank Delaware, Experian  
Information Solutions, INC., And Trans  
Union LLC,

Defendants.

Case No.: **2017094434**

**COMPLAINT FOR VIOLATION OF  
FAIR CREDIT REPORTING ACT (15  
U.S.C. § 1681 et seq.)**

COMES NOW Plaintiff, Jeff Manning ("Plaintiff"), by and through counsel undersigned,  
and for its cause of action against the Defendants above-named alleges as follows:

1. That Plaintiff is, and was at all times hereinafter mentioned, a resident of Maricopa  
County, Arizona.

2. That, on information and belief, Defendant Barclays Bank Delaware  
("BARCLAYS"), is not a corporation registered with the Arizona Corporation Commission, but at  
all times relevant hereto was a federally chartered bank with their headquarters located at 125 South  
West Street, Wilmington, DE, 19801.

3. That, on information and belief, Defendant BARCLAYS is, and at all times relevant  
hereto was, regularly doing business in the State of Arizona.

4. That, on information and belief, Defendant, EXPERIAN INFORMATION  
SOLUTIONS, INC. ("EXPERIAN") is a credit reporting agency, as defined by 15 U.S.C. §  
1681a(f), licensed to do business in Arizona and has designated the following registered statutory  
agent: CT CORPORATION SYSTEM, 3800 NORTH CENTRAL AVENUE, SUITE 460,  
PHOENIX, ARIZONA 85012.

1           5.       That, on information and belief, Defendant EXPERIAN is, and at all times relevant  
2 hereto was, regularly doing business in the State of Arizona.

3           6.       That, on information and belief, Defendant, TRANS UNION LLC, ("TRANS  
4 UNION"), is a credit reporting agency, as defined by FCRA § 1681a(f), licensed to do business in  
5 Arizona and has designated the following registered statutory agent: PRENTICE-HALL CORP  
6 SYSTEM, 2338 WEST ROYAL PALM ROAD, STE-J, PHOENIX, AZ 85021.

7           7.       That, on information and belief, Defendant TRANS UNION is, and at all times  
8 relevant hereto was, regularly doing business in the State of Arizona.

9           8.       That, the Court has jurisdiction over this action pursuant to 15 U.S.C. § 1681p, the  
10 Fair Credit Reporting Act ("FCRA") and that personal jurisdiction exists over Defendants as they  
11 had the necessary minimum contacts with the State of Arizona, Plaintiff resides in Arizona, and  
12 the harm occurred in Arizona.

13           9.       That, the Plaintiff is a consumer and victim of inaccurate reporting by Defendants,  
14 and has suffered particularized and concrete harm.

15           10.      That upon information and belief, Phillips & Cohen Associated, Ltd. ("P&C") was  
16 collecting on behalf of Defendant BARCLAYS, for Plaintiff's account ending in 0373-3005  
17 ("Account").

18           11.      That, on or about October 19, 2015, P&C and Plaintiff reached an agreement to  
19 settle Plaintiff's Account for \$1,656.11 payable in installments ("Settlement Offer").

20           12.      That on or about July 1, 2015 Plaintiff submitted all the payments under the terms  
21 of the Settlement Offer, and P&C on behalf of Defendant BARCLAYS accepted these payments  
22 in satisfaction of the outstanding balance owed on the Account.

23           13.      That, sometime in or around October 2016, Plaintiff obtained his consumer credit  
24 reports from Defendants EXPERIAN and TRANS UNION, and discovered that Defendant  
25 BARCLAYS was inaccurately reporting a balance on the settled Account.

26           14.      On or about October 21, 2016, Plaintiff sent a written dispute regarding the accuracy  
27 of the derogatory and erroneous balance information reported on Account on Plaintiff's consumer  
28



1 credit report by Defendant BARCLAYS to Defendant EXPERIAN, a consumer credit reporting  
2 agency as defined in 15 U.S.C. §1681a.

3 15. On or about October 21, 2016, Plaintiff sent a written dispute regarding the accuracy  
4 of the derogatory and erroneous balance information reported on Account on Plaintiff's consumer  
5 credit report by Defendant BARCLAYS to Defendant TRANS UNION, a consumer credit  
6 reporting agency as defined in 15 U.S.C. §1681a.

7 16. Upon information and belief, Defendants EXPERIAN and TRANS UNION  
8 forwarded at least a portion of Plaintiff's written dispute to Defendant BARCLAYS regarding the  
9 Account.

10 17. That on or about November 2, 2016, Defendants BARCLAYS and EXPERIAN  
11 responded to Plaintiff's written dispute letter for Account without removing the erroneous balance  
12 information that was identified in Plaintiff's dispute letter for Account.

13 18. That on or about November 5, 2016, Defendants BARCLAYS and TRANS UNION  
14 responded to Plaintiff's written dispute letter for Account without removing the erroneous balance  
15 information that was identified in Plaintiff's dispute letter for Account.

16 19. That Defendant BARCLAYS willfully failed to conduct a proper investigation and  
17 correct the inaccurate balance reporting of Account to Defendants EXPERIAN and TRANS  
18 UNION in violation of 15 U.S.C. § 1681s-2(b) and to the detriment of the consumer Plaintiff.

19 20. That Defendant BARCLAYS is willfully reporting derogatory and inaccurate  
20 information about Plaintiff to consumer reporting agencies, Defendants EXPERIAN and TRANS  
21 UNION, as defined by 15 U.S.C. § 1681a.

22 21. That Defendants EXPERIAN and TRANS UNION failed to conduct reasonable  
23 reinvestigations in violation of 15 U.S.C. § 1681i(a)(1)(A) to the detriment of the consumer  
24 Plaintiff.

25 22. That Defendants EXPERIAN, TRANS UNION failed to correct the inaccurate  
26 reporting of Account in violation of 15 U.S.C. § 1681i and to the detriment of the consumer  
27 Plaintiff.

1           23. That Defendants EXPERIAN and TRANS UNION, willfully failed to maintain  
2 reasonable procedures to assure maximum accuracy of the information contained in Plaintiff's  
3 credit report in violation of 15 U.S.C. § 1681e.

4           24. The foregoing acts and omissions of the Defendants BARCLAYS, EXPERIAN, and  
5 TRANS UNION constitute unacceptable violations of the FCRA.

6           25. As a result of the foregoing, Plaintiff has suffered damages in an amount to be  
7 shown at trial but not exceeding \$10,000.00.

8           **WHEREFORE**, Plaintiff seeks a reasonable and fair judgment against defendants for  
9 willful noncompliance of the Fair Credit Reporting Act and seeks her statutory remedies as defined  
10 by 15 U.S.C. § 1681n and demands:

- 11           1. Actual damages to be proven at trial, or statutory damages pursuant to 15  
12           U.S.C. § 1681n(a)(1)(A), of not less than \$100 and not more than \$1,000  
13           per violation;
- 14           2. Punitive damages, pursuant 15 U.S.C. § 1681n(a)(2), for Defendants'  
15           willful violation;
- 16           3. The costs of instituting this action together with reasonable attorney's fees  
17           incurred by Plaintiff pursuant to 15 U.S.C. § 1681n(a)(3); and
- 18           4. Any further legal and equitable relief as the court may deem just and proper  
19           in the circumstances.

20           Respectfully submitted this 11 day of May, 2017.

21           MCCARTHY LAW, PLC

22           By: 

23           Kevin Fallon McCarthy, Esq.

24           Joon N. Kee, Esq.

25           Attorneys for Plaintiff

MCDOWELL MOUNTAIN  
JUSTICE COURT  
FILED

**MCCARTHY LAW PLC**

CANDID CONVERSATION. WISE COUNSEL.

17 MAY 23 AM 10:15

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Attorneys for Plaintiff

**MCDOWELL MOUNTAIN JUSTICE COURT  
MARICOPA COUNTY, STATE OF ARIZONA  
18380 NORTH 40TH STREET, PHOENIX, ARIZONA 85032**

Jeff Manning,

Plaintiff,

v.

Barclays Bank Delaware, Experian  
Information Solutions, INC., And Trans Union  
LLC,

Defendants.

Case No.: **2017094434**

**INITIAL DISCOVERY SET TO  
TRANS UNION LLC**

Plaintiff, Jeff Manning gives notice of service upon and requests that Defendant individually respond to the following interrogatories, requests for production, and requests for admission within sixty (60) days of service.

**PREFATORY INSTRUCTIONS TO INTERROGATORIES**

The Justice Court Rules of Civil Procedure allow a party to send up to forty (40) interrogatories to another party. An interrogatory is a written question that is sent by a party to another party that must be answered in writing and under oath by the party to whom the interrogatory is sent. If you do not answer an interrogatory because you object to the interrogatory, you must state a reason for your objection.

Provide your answers in the space directly below each question. If there is not enough space for your answer to a particular question, you may continue on a blank page by including the question above your answer. After you have completed your response to the interrogatories, you must sign on the last page to affirm that you have truthfully answered the questions and that you have a good faith basis for any objections that you may have made. You must provide your original answers to interrogatories to the party who sent them to you, and you must provide a copy to every other party in the lawsuit.

Your response to these interrogatories is due forty (40) days after they have been served on you, unless the interrogatories were served with the summons and complaint, in which case your response is due within sixty (60) days after the date of service, or unless otherwise ordered by the court. If you do not answer these interrogatories by the date provided in this notice, the party who served them may file a motion asking that the court order you to answer them. If the court enters that order, the court may also require you to pay expenses, including attorneys' fees incurred

1 by the other party in obtaining the order. If you fail to comply with the order, the other party may  
 2 ask the court to impose additional penalties against you, including: that you may not introduce  
 3 evidence of some or all of your claims or defenses in this lawsuit; if you are a plaintiff, that your  
 lawsuit be dismissed; or if you are a defendant, that judgment be entered against you by default.

4 All information is to be divulged which is in the possession of the individual or corporate  
 5 party, his attorneys, investigators, agents, employees, or other representatives of the named party.

6 When an individual interrogatory calls for an answer that involves more than one party,  
 7 each part of the answer should clearly set out so that it is understandable.

### 8 DEFINITIONS

9 When the terms "you," "Plaintiff" or "Defendant" are used, they are meant to include every  
 10 individual party and include your agents, employees, your attorneys, your accountants, your  
 investigators, anyone else acting on your behalf. Separate answers should be given for each person  
 named as the party, if requested.

11 When the term "document" is used, it is meant to include every "writing", "recording" and  
 12 "photograph" as those terms are defined in Rule 1001, Ariz.R.Evid. For each "document"  
 13 responsive to any request withheld from production by you on the ground of any privilege, please  
 state:

- 14 (a) the nature of the document (e.g., letter, memorandum, contract, etc.);
- 15 (b) the author or sender of the document;
- 16 (c) the recipient of the document;
- 17 (d) the date the document was authored, sent, and/or received; and
- 18 (e) the reason such document is allegedly privileged.

19  
 20 Where the term "contract" is used, it is meant to mean or to include the contract between  
 21 the parties to this action that is the subject of the pleadings.

22 Where the terms "claim" or "claims" are used, they are meant to mean or to include a  
 demand, cause of action or assertion for something due or believed to be due.

23 Where the terms "defense" or "defenses" are used, they are meant to mean or to include any  
 24 justification, excuse, denial or affirmative defense in response to the opposing party's claim.

25 Where the term "negotiation(s)" is used, it is meant to mean or to include conversations,  
 26 discussions, meetings, conferences and other written or verbal exchanges that relate to the contract.

27 Where the term "Audit Trail" is used, it is meant to mean or include a complete, detailed  
 28 listing of each and every alteration, deletion, inquiry into, modification or other change to the credit  
 report or profile as maintained in recorded form, in the broadest sense, by "you". The listing should  
 include the identity, address, employer and title of the person(s) taking the action, the identity,

address, employer and title of the person(s) authorizing the action, a detailed explanation of the action taken, the date of the action, the means used to effect such action, the location of origin of the action and the reason the action was taken.

Where the term "data" is used, it is meant to mean or include the physical symbols in the broadest sense that represent information, regardless of whether the information is oral, written or otherwise recorded.

"Identify" means that you should state:

- (a) any and all names, legal, trade or assumed;
- (b) all addresses used; and
- (c) all telephone and tele-fax numbers used.

"Person(s)" means any human being, sole proprietorship, limited partnership, partnership, association, group of human beings, other legal or de facto entity, or corporation, of whatever kind.

"Personal Identifiers" means a person's name or social security number or other unique data which identifies or is associated with a particular "person."

The term "consumer reporting agency" means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports.

### **NON UNIFORM INTERROGATORIES**

**INTERROGATORY NO. 1:** Please identify the names, addresses, and telephone numbers of all persons who supplied information responsive to these interrogatories.

**ANSWER:**

**INTERROGATORY NO. 2:** Please identify the names, addresses, and telephone numbers of all persons who have personal knowledge of any of the facts, events, or matters that are alleged in Plaintiff's complaint, your answer, anticipated answer and/or defenses thereto and describe and explain your understanding of the matters on which the persons named have knowledge.

**ANSWER:**

1  
2 **INTERROGATORY NO. 3:** Please identify all correspondence or documents that refer or relate  
3 to any correspondence or communication between you and any other person relating or referring  
4 to the facts, acts, events, or matters alleged in Plaintiff's complaint, or your answer, anticipated  
5 answer and/or defenses thereto.

6 **ANSWER:**  
7  
8

9 **INTERROGATORY NO. 4:** Please identify each person whom you may call as a witness at trial  
10 including name, address, and telephone number, and the substance of the facts and opinions to  
11 which the witness may testify.

12 **ANSWER:**  
13  
14

15 **INTERROGATORY NO. 5:** Please list, explain and describe documents known to you or  
16 believed by you to exist concerning the events described in Plaintiff's complaint or concerning any  
17 event which is the subject of any defense you have raised to this lawsuit.

18 **ANSWER:**  
19  
20

21 **INTERROGATORY NO. 6:** Please identify each employee or non-employee witness or expert  
22 witness you believe may have formed any opinion or consulted with you about the facts or basis  
23 of this lawsuit or any defense or allegation you have raised in this lawsuit. For each such person  
24 identified, please list each and every lawsuit in which that person has testified by affidavit,  
25 deposition, trial testimony, or by report furnished to the court or opposing counsel. Please explain  
26 and describe the nature of each such statement by the person so identified. Please identify the  
27 lawsuit by complete caption, court name, cause number, and date the affidavit, deposition, trial  
28 testimony, or report was made, taken or occurred.

1 **ANSWER:**

2  
3  
4 **INTERROGATORY NO. 7:** Please identify all individuals known to you or your attorney who  
5 are not witnesses, but who you have reason to believe have knowledge pertinent to the events at  
6 issue as alleged in the pleadings, and provide a brief summary of the facts to which each such  
7 person could testify. For each person, please state the following:

8 a. Please state whether each such person is affiliated with, or related  
9 to, or employed by any party (or its agents, servants, officers, or employees)  
10 to this lawsuit;

11 b. If any of the persons so listed in response to this interrogatory do not  
12 fit the characterization in subpart (a) above, please describe the nature of  
13 their involvement in this lawsuit;

14 c) Please explain and describe your understanding of their knowledge  
15 of such facts.

16 **ANSWER:**

17  
18  
19 **INTERROGATORY NO. 8:** Please state whether any of the individuals listed in the answers to  
20 the preceding interrogatories have given any statement[s] to you and, if so, please identify the  
21 individual giving the statement, identify the individual to whom the statement was given, the date  
22 of the statement, and whether or not the statement was written or recorded and, if it was written or  
23 recorded, identify the individual presently in possession of such writing or recording.

24  
25 **ANSWER:**



1 **INTERROGATORY NO. 9:** Please list each exhibit which you may attempt to introduce as  
2 evidence at the trial of this case, or which has been used or referred to by any witness, expert or  
3 lay, on your behalf.

4 **ANSWER:**  
5  
6

7 **INTERROGATORY NO. 10:** For each paragraph of Plaintiff's complaint which you deny the  
8 allegations, please explain and describe any facts which you believe support each denial.

9 **ANSWER:**  
10  
11

12 **INTERROGATORY NO. 11:** Please explain and describe when, how and under what  
13 circumstances you archive, retain or capture account data in any file bearing any of Plaintiffs'  
14 personal identifiers. List the archived data files and reports wherein any personal information about  
15 Plaintiff or attributed to any of Plaintiff's personal identifiers, including the date such data was  
16 captured, retained and/or archived, who has possession of those reports, the manner in which the  
17 reports are maintained, and the retention policy[ies] regarding those reports. This request includes  
18 your normal data file retention processes.

19 **ANSWER:**  
20  
21

22 **INTERROGATORY NO. 12:** Please explain and describe when and how you transmit account  
23 data stored in any file bearing any of Plaintiff's personal identifiers to any Consumer Reporting  
24 Agency ("CRA").

25 **ANSWER:**  
26  
27  
28



**INTERROGATORY NO. 13:** Please explain and describe any disputes you received from Plaintiff or concerning Plaintiff and explain and describe your actions and disposition of your actions in connection with each contact or communication.

**ANSWER:**

**INTERROGATORY NO. 14:** Please explain and describe each Consumer Dispute Verification or Automated Consumer Dispute Verification ("CDV" or "ACDV" respectively) communication or other dispute communication you issued to any furnisher of credit information which pertained to Plaintiff or any of his/her personal identifiers. For each such CDV, ACDV or other dispute communication, please identify the person reporting such dispute, state the date the dispute was received and the date you issued any response, explain and describe the dispute conveyed, and fully explain and describe your response[s] on each such occasion.

**ANSWER:**

**INTERROGATORY NO. 15:** Please list, explain and describe each and every code contained in each reinvestigation record and file and retained computer record and screen/file you generated and accessed regarding Plaintiff. For each such code, please also explain and describe, in detail, the purpose of such code, the content of such action, the duration of such action, and the reason you permitted such action or entry.

**ANSWER:**

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## **PREFATORY INSTRUCTIONS TO REQUEST FOR PRODUCTION**

The Justice Court Rules of Civil Procedure allow a party to request from another party up to ten (10) documents or items, or up to ten (10) categories of documents or items. If you do not produce a document or a category of documents or items because you object to a specific request, you must state a reason for your objection. A party may also request to enter on to designated land or other property to inspect it, or to take measurements, photographs, or samples.

A party who produces documents must provide them as they are kept in the usual course of business, or they must organize and label them in response to the requests. Electronic documents or electronic records must be produced in the format that has been requested or in the format that the electronic documents or records are usually kept.

You must provide your original response to requests under this rule to the party who sent them to you, and you must provide a copy to every other party in the lawsuit. Your response to requests made under this rule is due forty (40) days after the requests have been served on you, unless the requests were served with the summons and complaint, in which case your response is due within sixty (60) days after the date of service, or unless otherwise ordered by the court. If you do not comply with the requests that have been made in this notice, the party who served them may file a motion asking that the court order you to comply. If the court enters that order, the court may also require you to pay expenses, including reasonable attorneys' fees, incurred by the other party in obtaining the order. If you fail to comply with the order, the other party may ask the court to impose additional penalties against you, including: that you may not introduce evidence of some or all of your claims or defenses in this lawsuit; if you are a Plaintiff, that your lawsuit be dismissed; or if you are a defendant, that judgment be entered against you by default.

Each of the above-named parties is to produce for inspection and copying all documents in their possession or control or otherwise available to it/them that is/are responsive to the requests contained in the numbered paragraphs below. Each of the above-named parties shall specify which documents are produced in response to each of the numbered paragraphs.

If any document herein requested was formerly in the possession, custody, or control of each of the above-named parties and has been lost or destroyed, each of the above-named parties is requested to submit in lieu of each document a written statement which:

1. Describes in detail the nature of the document and its contents; AND
2. Identifies the person who prepared or authored the document and, if applicable, the person(s) to whom the document was sent; AND
3. Specifies the date on which the document was prepared or transmitted or both; AND
4. Specifies, if possible the date on which the document was lost or destroyed, and, if destroyed, the conditions or the reasons for such destruction and the persons requesting and performing the destruction.

If any document otherwise required to be produced by this request is withheld on the grounds of privilege or otherwise, you shall identify the document by document control number if available, or other sufficient information to identify the document and the reasons for the non-disclosure.

1 This request for production of documents is continuing and any document obtained or  
2 located subsequent to production, which would have been produced, had it been available or its  
3 existence known at the time is to be supplied forthwith.

### 4 DEFINITIONS

5 When the terms "you," "Plaintiff" or "Defendant" are used, they are meant to include every  
6 individual party and include your agents, employees, your attorneys, your accountants, your  
7 investigators, anyone else acting on your behalf. Separate answers should be given for each person  
8 named as the party, if requested.

9 When the term "document" is used, it is meant to include every "writing", "recording" and  
10 "photograph" as those terms are defined in Rule 1001, Ariz.R.Evid. For each "document"  
11 responsive to any request withheld from production by you on the ground of any privilege, please  
12 state:

- 13 (a) the nature of the document (e.g., letter, memorandum, contract, etc.);
- 14 (b) the author or sender of the document;
- 15 (c) the recipient of the document;
- 16 (d) the date the document was authored, sent, and/or received; and
- 17 (e) the reason such document is allegedly privileged.

18 Where the term "contract" is used, it is meant to mean or to include the contract between  
19 the parties to this action that is the subject of the pleadings.

20 Where the terms "claim" or "claims" are used, they are meant to mean or to include a  
21 demand, cause of action or assertion for something due or believed to be due.

22 Where the terms "defense" or "defenses" are used, they are meant to mean or to include any  
23 justification, excuse, denial or affirmative defense in response to the opposing party's claim.

24 Where the term "negotiation(s)" is used, it is meant to mean or to include conversations,  
25 discussions, meetings, conferences and other written or verbal exchanges that relate to the contract.

26 Where the term "Audit Trail" is used, it is meant to mean or include a complete, detailed  
27 listing of each and every alteration, deletion, inquiry into, modification or other change to the credit  
28 report or profile as maintained in recorded form, in the broadest sense, by "you". The listing should  
include the identity, address, employer and title of the person(s) taking the action, the identity,  
address, employer and title of the person(s) authorizing the action, a detailed explanation of the  
action taken, the date of the action, the means used to effect such action, the location of origin of  
the action and the reason the action was taken.

Where the term "data" is used, it is meant to mean or include the physical symbols in the  
broadest sense that represent information, regardless of whether the information is oral, written or  
otherwise recorded.

1 "Identify" means that you should state:

2 (a) any and all names, legal, trade or assumed; AND

3 (b) all addresses used; AND

4 (c) all telephone and tele-fax numbers used.

5 "Person(s)" means any human being, sole proprietorship, limited partnership, partnership,  
6 association, group of human beings, other legal or de facto entity, or corporation, of whatever kind.

7 "Personal Identifiers" means a person's name or social security number or other unique  
8 data which identifies or is associated with a particular "person."

9 The term "consumer reporting agency" means any person which, for monetary fees, dues,  
10 or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of  
11 assembling or evaluating consumer credit information or other information on consumers for the  
12 purpose of furnishing consumer reports to third parties, and which uses any means or facility of  
interstate commerce for the purpose of preparing or furnishing consumer reports.

13 **REQUESTS FOR PRODUCTION**

14 **REQUEST NO. 1:** Please produce a copy of all documents or computerized records, kept in any  
15 form or manner, known to you or believed by you to exist concerning any of the events described  
16 in Plaintiff's Complaint or concerning any of the events which are the subject[s] of any allegations,  
17 defense[s] or contentions you have raised to this lawsuit or in connection with this lawsuit.

18 **ANSWER:**

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21 **REQUEST NO. 2:** Please produce a complete and legible copy, transcription and summary of  
22 any statement[s], in any recorded format, provided to you or your attorneys in connection with any  
23 of the facts, asserted by any person, in this lawsuit and, if the witness produce any tangible item,  
24 please produce that item for inspection and copying at the time of your responses or produce a copy  
25 of that item with your responses.

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27 **ANSWER:**

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**REQUEST NO. 3:**

Please produce a complete and legible copy of each exhibit which you may attempt to introduce as evidence at the trial of this case.

**ANSWER:**

**REQUEST NO. 4:** For each paragraph of Plaintiff's petition for which you deny the allegations, please provide a copy of any evidence or proof which you believe may support each denial.

**ANSWER:**

**REQUEST NO. 5:** Please produce a complete and legible copy of any communications you received from Plaintiff and which you sent to Plaintiff.

**ANSWER:**

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## **PREFATORY INSTRUCTIONS TO REQUEST FOR ADMISSION**

The Justice Court Rules of Civil Procedure allow a party to send up to twenty-five (25) requests for admissions to another party. Each request must contain only one fact or one contention to admit or deny. A request may inquire about whether a document is genuine or accurate. You must admit or deny each of these requests, unless you object to a request, in which case you must state a reason for your objection. You may not object on the basis that you do not have knowledge or information concerning the request unless you have first made a reasonable inquiry to obtain knowledge or information.

You must provide your original response to requests under this rule to the party who sent them to you, and you must provide a copy to every other party in the lawsuit. Responses to requests for admissions are due forty (40) days from the date they are served, unless the requests were served with the summons and complaint, in which case your response is due within sixty (60) days after the date of service, or as ordered by the court.

If you do not respond to these requests for admissions by the date provided in this notice, your failure to respond may be considered as an admission of the requests.

## **DEFINITIONS**

When the terms "you," "Plaintiff" or "Defendant" are used, they are meant to include every individual party and include your agents, employees, your attorneys, your accountants, your investigators, anyone else acting on your behalf. Separate answers should be given for each person named as the party, if requested.

When the term "document" is used, it is meant to include every "writing", "recording" and "photograph" as those terms are defined in Rule 1001, Ariz.R.Evid. For each "document" responsive to any request withheld from production by you on the ground of any privilege, please state:

- (a) the nature of the document (e.g., letter, memorandum, contract, etc.);
- (b) the author or sender of the document;
- (c) the recipient of the document;
- (d) the date the document was authored, sent, and/or received; and
- (e) the reason such document is allegedly privileged.

Where the term "contract" is used, it is meant to mean or to include the contract between the parties to this action that is the subject of the pleadings.

Where the terms "claim" or "claims" are used, they are meant to mean or to include a demand, cause of action or assertion for something due or believed to be due.

Where the terms "defense" or "defenses" are used, they are meant to mean or to include any justification, excuse, denial or affirmative defense in response to the opposing party's claim.

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Where the term "negotiation(s)" is used, it is meant to mean or to include conversations, discussions, meetings, conferences and other written or verbal exchanges that relate to the contract.

Where the term "Audit Trail" is used, it is meant to mean or include a complete, detailed listing of each and every alteration, deletion, inquiry into, modification or other change to the credit report or profile as maintained in recorded form, in the broadest sense, by "you". The listing should include the identity, address, employer and title of the person(s) taking the action, the identity, address, employer and title of the person(s) authorizing the action, a detailed explanation of the action taken, the date of the action, the means used to effect such action, the location of origin of the action and the reason the action was taken.

Where the term "data" is used, it is meant to mean or include the physical symbols in the broadest sense that represent information, regardless of whether the information is oral, written or otherwise recorded.

"Identify" means that you should state:

- (a) any and all names, legal, trade or assumed; AND
- (b) all addresses used; AND
- (c) all telephone and tele-fax numbers used.

"Person(s)" means any human being, sole proprietorship, limited partnership, partnership, association, group of human beings, other legal or de facto entity, or corporation, of whatever kind.

"Personal Identifiers" means a person's name or social security number or other unique data which identifies or is associated with a particular "person."

The term "Consumer Reporting Agency" means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports.

### **REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 1:** Admit that you, Defendant, inaccurately reported information related to Plaintiffs account ending in 0373-3005 which is the subject of this suit.

☐ ADMIT ☐ DENY

**REQUEST FOR ADMISSION NO. 2:** Admit that you, Defendant, failed to correct the inaccurate information you reported regarding Plaintiff's account ending in 0373-3005 which is the subject of this suit.



☐ ADMIT ☐ DENY

**REQUEST FOR ADMISSION NO. 3:** Admit that you, Defendant, received a dispute regarding Plaintiff's account ending in 0373-3005 which is the subject of this suit.

☐ ADMIT ☐ DENY

**REQUEST FOR ADMISSION NO. 4:** Admit that you, Defendant, failed to have systems in place to accurately identify and relay all the pertinent details of the dispute to the party reporting such information.

☐ ADMIT ☐ DENY

**REQUEST FOR ADMISSION NO. 5:** Admit that you, Defendant, failed to conduct a reasonable reinvestigation regarding Plaintiff's disputed account ending in 0373-3005, which is the subject of this suit.

☐ ADMIT ☐ DENY

**REQUEST FOR ADMISSION NO. 6:** Admit that you, Defendant, failed to have reasonable systems in place to prevent another Credit Reporting Agency, from automatically updating any manually updated accounts after a dispute.

☐ ADMIT ☐ DENY

Respectfully submitted this 11 day of May, 2017.

MCCARTHY LAW, PLC

By: 

Kevin Fallon McCarthy, Esq.  
Joon N. Kee, Esq.  
Attorneys for Plaintiff



# EXHIBIT B

VERIFICATION

I, J. Neil Stuart, declare under penalty of perjury that the following is true and correct.

1. I am an attorney with the law firm Cohen Dowd Quigley P.C., and have been admitted to practice law in the State of Arizona since 2011. I am one of the attorneys for Defendant Trans Union, LLC (“Trans Union”) in connection with the litigation captioned Jeff Manning v. Barclays Bank Delaware, Experian Information Solutions, Inc., and Trans Union LLC, which is currently pending in the McDowell Mountain Justice Court of the State of Arizona in Maricopa Court, Case No. CC2017-094434 (the “Litigation”). I am competent to testify to the matters contained in this Verification.

2. The pleadings and other documents previously filed in the Litigation and contained in Exhibit A to Trans Union’s Notice of Removal are true and complete copies of all pleadings and other documents filed in the Litigation.

EXECUTED this 19th day of June, 2017.



---

J. NEIL STUART

# EXHIBIT C

1 Scott K. Brown (020390)  
2 **LEWIS ROCA ROTHGERBER CHRISTIE LLP**  
3 201 East Washington Street, Suite 1200  
4 Phoenix, Arizona 85004  
5 Telephone: (602) 262-5321  
6 Email: [sbrown@lrrc.com](mailto:sbrown@lrrc.com)  
7 *Counsel for Defendant Barclays Bank Delaware*

8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE DISTRICT OF ARIZONA**

10 JEFF MANNING,

11 Plaintiff,

12 v.

13 BARCLAYS BANK DELAWARE,  
14 EXPERIAN INFORMATION SOLUTIONS,  
15 INC. and TRANS UNION LLC,

16 Defendants.

Case No. \_\_\_\_\_

**BARCLAYS BANK DELAWARE'S  
JOINDER IN AND CONSENT TO  
REMOVAL**

17 Without waiving any of its defenses or any other rights, Defendant Barclays Bank  
18 Delaware hereby consents to the removal of this action from the McDowell Mountain  
19 Justice Court, Maricopa County, State of Arizona, wherein it is now pending, to the  
20 United States District Court for the District of Arizona. Removal of this action is proper  
21 for the reasons set forth in the Notice of Removal and Exhibits thereto filed by Co-  
22 Defendant Trans Union LLC. Defendant Barclays Bank Delaware first received a copy  
23 of the Summons and Complaint, the initial pleading setting forth the claim for relief upon  
24 which this action is based, on June 12, 2017.

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1 RESPECTFULLY SUBMITTED this 16th day of June, 2017.

2  
3 LEWIS ROCA ROTHGERBER CHRISTIE LLP

4 /s/ Scott K. Brown

5 Scott K. Brown (020390)

6 201 East Washington Street, Suite 1200

7 Phoenix, Arizona 85004

8 Telephone: (602) 262-5321

9 Email: [sbrown@lrrc.com](mailto:sbrown@lrrc.com)

10 *Counsel for Defendant Barclays Bank Delaware*

Emily Gildar Wagner (028811)

**SNELL & WILMER L.L.P.**

One Arizona Center

400 E Buren Street, Suite 1900

Phoenix, Arizona 85004

Telephone: (602) 382-6000

Facsimile: (602) 382-6070

Email: [ewagner@swlaw.com](mailto:ewagner@swlaw.com)

*Counsel for Defendant Experian Information Solutions, Inc.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

JEFF MANNING,

Plaintiff,

v.

BARCLAYS BANK DELAWARE,  
EXPERIAN INFORMATION SOLUTIONS,  
INC. and TRANS UNION LLC,

Defendants.

Case No. \_\_\_\_\_

**EXPERIAN INFORMATION  
SOLUTIONS, INC.'S JOINDER IN  
AND CONSENT TO REMOVAL**

Without waiving any of its defenses or any other rights, Defendant Experian Information Solutions, Inc. hereby consents to the removal of this action from the McDowell Mountain Justice Court, Maricopa County, State of Arizona, wherein it is now pending, to the United States District Court for the District of Arizona. Removal of this action is proper for the reasons set forth in the Notice of Removal and Exhibits thereto filed by Co-Defendant Trans Union LLC. Defendant Experian Information Solutions, Inc. first received a copy of the Summons and Complaint, the initial pleading setting forth the claim for relief upon which this action is based, on June 1, 2017.

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1 RESPECTFULLY SUBMITTED this 16th day of June, 2017.

2  
3 **SNELL & WILMER L.L.P.**

4 /s/ Emily Gildar Wagner

5 Emily Gildar Wagner (028811)

6 One Arizona Center

7 400 E Buren Street, Suite 1900

8 Phoenix, Arizona 85004

9 Telephone: (602) 382-6000

10 Facsimile: (602) 382-6070

11 Email: [ewagner@swlaw.com](mailto:ewagner@swlaw.com)

12 *Counsel for Defendant*

13 *Experian Information Solutions, Inc.*